

REMARKS

Applicants respectfully request further examination and consideration in view of the claims above and the arguments set forth fully below. Within the Office Action of January 5, 2011, Claims 1-17 and 23-40 have been rejected. By the above amendments, Claim 1, 23, 27 and 32 have been amended. No new matter has been added. Accordingly, Claims 1-17 and 23-40 are currently pending.

Applicants' representatives thank the Examiner for his gracious time and the courtesy he showed during the phone call on January 20, 2011. During the phone call, the Examiner clarified that although Yamadera, Landers and Jeoung were cited within the Office Action as references to reject Claims 1-15, 17 and 23-31, Claims 1-15, 17 and 23-31 are instead rejected over Yamadera in view of Landers. Applicants therefore respond to the Office Action accordingly.

Claim Objections

Within the Office Action, it is stated that the numbering of claims is not in accordance with 37 C.F.R. 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. Applicants thank the Examiner for pointing out to the Applicants' attention regarding the typographical error made in the last response filed October 22, 2010. Misnumbered Claim 18 has been renumber as Claim 23.

Rejections Under 35 U.S.C. § 103

Claims 1-15, 17 and 23-31

Claims 1-15, 17 and 23-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2003/0064757 to Yamadera et al. (hereinafter "Yamadera") in view of U.S. Patent No. 7,188,320 to Landers (hereinafter "Landers"). Applicants respectfully traverse these rejections.

Applicants previously argued in the response filed February 25, 2011:

Applicants respectfully submit that the Yamadera fails to teach "wherein during a menu selection mode, a plurality of main menu items of the main menu remains visible at all times, regardless of which main menu item is select." The Examiner argued that the limitation can be broadly interpreted as "a plurality of main menu items remains visible while the user is making a selection of a particular main menu item." And, as such, the Examiner stated that Yamadera illustrates and discloses in Figure 5B and paragraph 59, a plurality of main menu items that are displayed on the menu item selection screen during a user's selection of one of the menu items. The Examiner further stated that it can clearly

be observed that the plurality of menu items remain visible to the user during such selection, regardless of which menu item is selected. However, Applicants respectfully submit that the Examiner failed to consider the limitation that the plurality of main menu items remains visible at all times during a menu selection mode.

In Yamadera, although a plurality of main menu items first remains visible after a user enters a menu selection mode by pressing the cursor key 4, the plurality of main menu items no longer remains visible after the user selects a main menu item to further select a submenu item. Applicant respectfully submit that the user is still in the menu selection mode after the selection of the main menu item to further select a submenu item. For example, after the user selects main menu item 24, sub menu items 24a, 24b and 24c are presented in the second home position of main menu item 24. Main menu item 24 is no longer displayed along with the other main menu items, despite the user still being in the menu selection mode. Accordingly, Yamadera fails to teach that the plurality of main menu items remains visible at all times during a menu selection mode.

Applicants respectfully submit that the substance of these arguments is still pertinent. However, Within the Advisory Action, the Examiner disagreed and stated within the Advisory Action of March 9, 2011, that “a plurality of menu items...are displayed on the menu item selection screen during a user’s selection of one of the menu items. It can clearly be observed that the plurality of menu items remain visible to the user during such selection, regardless of which menu item is selected.” Applicants respectfully disagree with this observation. As discussed in the previous response, although a plurality of menu items are displayed on the screen prior to selecting a main menu item, the plurality of main menu items no longer remain visible once the a main menu item is selected because the selected main menu item is replaced with sub menu items. After selecting a main menu item, the user is still in the menu selection mode. At this stage in the menu selection mode, the plurality of menu items are not all shown. As such, Yamadera fails to teach that the plurality of main menu items remains visible at all times during a menu selection mode.

However, to further prosecution, the claims have been amended to recite that during a menu selection mode, a plurality of main menu items of a main menu remains visible after a main menu item is selected. Yamadera fails to teach this limitation. Instead, after selection of a main menu item, the plurality of main menu items no longer remain visible because the selected main menu item is replaced with sub menu items.

Independent Claim 1 recites a menu-driven electronic device comprising: a display configured to selectively display at least one of a plurality of menus, including a main menu and a sub-menu; and a two-dimensional navigation key configured as a single-button including four sets of contact points, wherein during a menu selection mode, a plurality of main menu items of

the main menu remains visible after a main menu item is selected, while the two-dimensional navigation key is configured to select and perform an action corresponding to one of the plurality of main menu items of the main menu and to select and perform an action corresponding to a sub-menu item of the sub-menu associated with a selected main menu item using the four sets of contact points.

Since the cited prior art neither teaches nor renders obvious all of the elements of independent Claim 1, Applicants respectfully submit that independent Claim 1 is patentable over the prior art. Applicants respectfully submit that the same arguments made above with respect to the patentability of independent Claim 1 are applicable to the patentability of independent Claims 23 and 27 as well. For at least these reasons, independent Claims 1, 23 and 27 are each an allowable base claim.

Further, in regards to Claim 27, Applicants respectfully submit that Yamadera fails to teach “while operating the key along a first of the orthogonal paths selects a preferred main menu item from among the plurality of main menu items; operating the key along a second of the orthogonal paths selects a preferred sub-menu item among the plurality of sub-menu items; and operating the key along the first orthogonal path **activates** the selected sub-menu item” (emphasis included). Although Yamadera teaches that moving the cursor key 4 in any of the four directions to highlight a menu item (e.g., main menu item, sub-menu item), Yamadera teaches that the user has to confirm a selection by pressing on cursor key 4. [Advisory Action, page 2; Yamadera, ¶ 0042] Accordingly, simply operating the cursor key 4 in the first orthogonal path does not activate a sub-menu item. This is evident by the example disclosed in ¶ 0062 of Yamadera. The user must press the cursor key, after operating the cursor key in a path to arrive at a selected sub-menu item, to **activate** the sub-menu item. Accordingly, for at least these reasons, Claim 27 is an allowable base claim.

Claims 2-15, 17, 24-26 and 28-31 are dependent upon independent Claims 1, 23 and 27. As discussed above, independent Claims 1, 13 and 27 are each an allowable base claim. Accordingly, Claims 2-15, 17, 24-26 and 28-31 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Claim 16

Within the Office Action, Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamadera and Landers, further in view of U.S. Patent No. 6,463,304 to Smethers (hereinafter “Smethers”). Applicants respectfully traverse these rejections.

Claim 16 is dependent on independent Claim 1. As discussed above, independent Claim 1 is an allowable base claim. Accordingly, Claim 16 is allowable as being dependent upon an allowable base claim, and is now in condition for allowance.

Claims 32-40

Within the Office Action, Claims 32-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamadera in view of Landers and U.S. Publication No. 2001/0003097 to Jeoung (hereinafter “Jeoung”). Applicants respectfully traverse these rejections.

Independent Claim 32 recites a menu-driven electronic device comprising: a display configured to selectively display at least one of a plurality of menus; and a two-dimensional navigation key configured as a single-button including four sets of contact points, wherein during a menu selection mode, a plurality of main menu items of a main menu remains visible after a main menu item is selected, while the two-dimensional navigation key is configured to directly toggle between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key.

As discussed above, Yamadera fails to teach “wherein during a menu selection mode, a plurality of main menu items of a main menu remains visible after a main menu item is selected.” Further, it is recognized that Yamadera does not disclose directly toggling between a sub-menu associated with a first main menu item and a sub-menu associated with a second main menu item by a single access of the two-dimensional navigation key. Jeoung is cited for this reason.

Within the Response to Arguments section of the Office Action, the Examiner stated that the Examiner interpreted the claim as “from the main menu, associated submenu item may be selected and inherently be viewed. And from the submenu items, the user can return to the main menu to view and select another sub-menu item associated with another main menu.” However, the Examiner’s interpretation is incorrect because if the user first returns to the main menu, as required in Jeoung, to select another sub-menu item associated with another main menu, then the user is not directly toggling between submenus by a single access. Accordingly, Jeoung fails to teach directly toggling between a sub-menu associated with a first main menu item and a sub-

menu associated with a second main menu item by a single access of the two-dimensional navigation key.

Since the cited prior art neither teaches nor renders obvious all of the elements of independent Claim 32, Applicants respectfully submit that independent Claim 32 is patentable over the prior art. For at least these reasons, independent Claim 32 is an allowable base claim.

Claims 33-40 are dependent upon independent Claim 32. As discussed above, independent Claim 32 is an allowable base claim. Accordingly, Claims 33-40 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Conclusion

For the reasons given above, Applicants respectfully submit that the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: March 25, 2011 By: /Thomas B. Haverstock/

Thomas B. Haverstock
Reg. No.: 32,571
Attorney for Applicants